

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services- Irrigation & CAD Department – Certain irregularities noticed in the work of construction of Owk Reservoir Complex (Stage II) from KM 116.481 to KM 119.717 of Srisaliam Right Branch Canal (SRBC) taken up by the I&CAD dept. under EPC –(Package No.89) – Disciplinary action initiated against Sri A.V. Venkata Rao, EE(Retd.) – Inquiry conducted –Conclusion of disciplinary proceedings - impose a penalty of 5% cut in pension for a period of five (5) years on Sri A.V. Venkata Rao, EE(Retd.) – Orders - Issued.

IRRIGATION & C.A.D. (Ser.VII.(V&E)A.1) DEPARTMENT

G.O.Rt. No. 36

Dated:10 -01-2014

Read the following:

1. From the Director General (Vig. & Enft.) & E.O. Prl. Secy. to Govt.G.A.D. Report No.158(140/V&E/E1/03), Dt. 22-12-2004.
2. G.O. Rt. Nos.451 I&CAD(Ser.VII(V&E) A1)Dept. dt.29-03-2007.
3. From Sri A.V. Venkata Rao, EE WSD dt.1-06-2009
4. G.O. Rt. No. 162, I&CAD(SerVII.(V&E-1) Dept. dt. 08-02-2010.
5. From Sri A.V. Venkata Rao, EE(Retd.) WSD dt.20-09-2010
6. G.O. Rt. No. 156, I&CAD(SerVII.(V&E-1) Dept. dt. 10-02-2012
7. From Sri Lingaraj Panigrahi, IAS , COI D.O Lr.No.64/COI-LP/2011, Dt. 09-07-2012.
8. Govt. Memo No. 6755/Ser.VII.(V&E)A.1/2007-20, dt.11-10-2012.
9. From Sri A.V. Venkata Rao, EE(Retd.)Expelt. dt. 19-12-2012
10. Govt. Memo No.6755/Ser.VII.(V&E)A.1/2007-25, dt. 27-08-2013.
11. From Sri A.V. Venkata Rao,EE(Retd.) Reprn. dt. 01-09-2013.
12. Govt. Lr.No. 6755/serVII(V&E)A1/2007-26, dt.13-11-2013.
13. From the Secretary, APPSC, Hyd. Ir.No.2154/RT/2/2013, dt. 12-12-2013.

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O R D E R:

In the reference 1st read above, it has been brought to the notice of the Government that certain Engineers of I&CAD Department have committed irregularities in the work of construction of Owk Reservoir Complex (Stage II) from km 116.481 to km 119.717 of Srisaliam Right Branch Canal (SRBC) taken up by I&CAD dept. under EPC – (Package no.89) with a recommendation to initiate suitable departmental action against the officers responsible for such lapses.

2. After examining the entire matter, it has been decided to initiate departmental action against the officers responsible for the above said lapses. Accordingly in the reference 2nd read above, disciplinary proceedings have been initiated against Sri A.V. Venkata Rao, EE along with other officers by issuing articles of charges, inviting his Written

Statement of Defence on the charges framed against him.

3. In the reference 3rd read above, the above said charged officer has submitted his WSD, denying the charges framed against him along with other. After examining the Written Statement of Defence of the charged officer, it has been decided to issue additional articles of charge against the charged officer. Accordingly in the reference 4th read above, additional articles of charges have been issued, inviting his Written Statement of Defence on the additional articles of charge. In the reference 5th read above, the charged officer has submitted his WSD. After examining the WSD of the charged officer, it has been decided to place the matter before the Commissionerate of Inquires to inquire into the charges framed against him. Accordingly in the reference 6th read above, Sri Lingaraj Panigrahi, IAS, Commissioner of Inquiries, General Administration(COI) Department has been appointed as Inquiring Authority to conduct a detailed inquiry into the charges framed against him.

4. In the reference 7th read above, the Inquiring Authority has submitted his inquiry report stating that the charges framed against Sri A.V. Venkata Rao, EE(Retd.) I & II are held not proved.

5. After examination of the inquiry report it has been decided to deviate from the findings of Inquiring Authority. In the reference 8th read above, a copy of the inquiry report together with the disagreement factors have been communicated to Sri A.V. Venkata Rao, EE(Retd.) with a direction to submit his explanation, if any, on the following disagreement factors of the Govt.

Charge-I

The charge relates to release of payment for embankment on pro-rata basis even though specified levels were not achieved as per approved revised payment schedule.

As per the agreement conditions payment should be made to the contractor sub-component wise as per the approved payment schedule and by making partial payment of sub-component on pro-rata basis the Charged Officer has violated the agreement conditions and the purpose of approving the sub-component wise payment schedule is defeated. Hence the findings of the Inquiry Authority are found to be not acceptable on the basis of the following disagreement factors.

Event though the payment was made to the contractor as a part of Disaster Management for the partly finished sub component by proportionately reducing the rate of the sub-component, the Charged Officer has violated the agreement conditions. The action of the Charged Officer amounts to further revision of the payment schedule by dividing the sub-components to mini components with out the approval of the competent authority.

Additional Charge –I:

The charge relates to failure in monitoring the 3rd Party Quality Control work while testing the items with the limited equipment.

The Third Party Quality Control agency is required to establish stationary / mobile labs as stipulated in agreement conditions. Even though the Charged Officer may not be the authority arranging payment to the Third Party Quality Control, it is his responsibility as Executive Engineer and engineer in charge to ensure that the agreement conditions are complied with scrupulously as the payment to the Third Party Quality Control agency will be released by the other Executive Engineer, based on the certification of the Charged Officer. The equipment which were not procured were highly scientific and precise such as Nuclear Moisture Density gauge etc. Hence the findings of the Inquiry Authority are found to be not acceptable on the following disagreement factors.

Though the mandatory tests may have been got conducted using conventional equipment and procedures, the requisite equipment as per agreement conditions were not procured by the Third Party Quality Control. As such the Charged Officer has failed in ensuring the fulfillment of agreement conditions before recommending payment to the agency by the SRBC Circle I, as the payment to the Third Party Quality Control agency will be released based on the certification given by the Charged Officer.

5. In the reference 9th read above, the charged officer has submitted his explanation on the disagreement factors with a request to drop further action against him.

6. After careful examination of the explanation of the above charged officer it has been provisionally decided to impose a penalty of 5% cut in pension for a period of five (5) years on Sri A.V. Venkata Rao, EE(Retd.) for the irregularities committed in the work of construction of Owk Reservoir Complex (Stage II) from km 116.481 to km 119.717 of Srisaliam Right Branch Canal (SRBC) taken up by I&CAD dept. under EPC – (Package no.89).

7. In the reference 10th read above, a show cause notice has been issued to the charged officer to submit his representation, if any, on the above provisional decision of the department. In the reference 11th read above, the charged officer has submitted his representation with a request to drop further action against him. After examination of the representation of the charged officer, it has been decided to confirm the above said provisional decision of the Department as his representation has no merit for consideration of his request.

8. In the reference 12th read above, the Secretary, APPSC has been requested to place the proposal of the Government to impose a penalty of 5% cut in pension for a period of five (5) years on Sri A.V. Venkata Rao, EE(Retd.) before the Commission and to communicate the concurrence of the Commission on the above proposal of the Government.

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9. In the reference 13th read above, the Secretary, APPSC has communicated the concurrence of the Commission on the proposal of the Government, to impose a penalty of 5% cut in pension for a period of five (5) years on Sri A.V. Venkata Rao, EE(Retd.) .

10. Government, after careful examination of the entire issue, have decided to impose a penalty of 5% cut in pension for a period of five (5) years on Sri A.V. Venkata Rao, EE(Retd.). Accordingly Government hereby order to impose a penalty of 5% cut in pension for a period of five (5) years against Sri A.V. Venkata Rao, EE(Retd.) in respect of the disciplinary case relating to irregularities in the work of construction of Owk Reservoir Complex (Stage II) from km 116.481 to km 119.717 of Srisaiah Right Branch Canal (SRBC) taken up by I&CAD dept. under EPC – (Package no.89) .

11. The Irrigation & CAD(Ser.II) Department / the Engineer-in-Chief (AW), I&CAD Department, Hyderabad shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
Sri A.V. Venkata Rao, EE(Retd.) (**Through**) the Engineer-in-Chief(AW) ,
I&CAD Department, Hyderabad .
The Engineer-in-Chief(AW) , I&CAD Department, Hyderabad
The I&CAD (Ser.I) Department.

Copy to:

The Accountant General, AP., Hyderabad.
The General Administration (V&E) Department.
The Secretary to VC, A.P VC, Hyderabad.
The Secretary, APPSC, Hyderabad.
SF/SC

//FORWARDED : BY ORDER//

SECTION OFFICER